

DUMONT JOINT LAND USE BOARD MINUTES FOR MARCH 31, 2015 MEETING

MINUTES

Flag Salute

SESSION: This is a meeting of the Joint Land Use Board, of the Borough of Dumont, held in the Dumont Senior Center.

**March 31, 2015
7:30 PM**

SUNSHINE LAW: This meeting is a regularly scheduled meeting of the Joint Land Use Board, of The Borough of Dumont, held in the Dumont Senior Center on March 31, 2015. The date, time, and location were established by the resolution of the Board. A copy of the resolution was forwarded to *The Record*, the *Ridgewood News*, and posted in the Borough Hall. All notice requirements of the Open Public Meetings Act of the State of New Jersey have been fulfilled.

ROLL CALL:

| | | | | | |
|-----------------------------|---|---------------------|---|---------------------------|---|
| Thomas Trank | A | Michael Affrunti | P | Councilman Matthew Hayes | P |
| Michael Worner | P | Timothy Hickey | P | Elmer Pacia | A |
| Joseph Hakim | P | Barbara Chen | P | Michael Cremin Alt # 1 | P |
| Alfred Moriarty Alt # 2 | P | Janet Masio Alt # 3 | P | Mynor Frank Lopez Alt # 4 | A |
| Chairman William Bochicchio | P | | | | |

Others: Board Attorney – Mark D. Madaio, Esq.: Mark Madaio-P
Board Engineer – Boswell Engineering: James Fordham-NA
Board Planner – Maser Consulting: Darlene Green-NA
Board Clerks – Kelly Lo Russo & Rosalia Bob-P

- Chairman William Bochicchio stated that he had received a letter from alternate board member, Frank Lopez. He explained that due to personal reasons Frank Lopez needed to resign his position on the board. He stated that he had sent a personal thank you letter to Frank Lopez for his time serving on the board.

BUSINESS: Swearing in of Re-appointed Joint Land Use Board Member:
Thomas Trank

Chairman William Bochicchio tabled this matter till the following month's meeting.

BUSINESS: Review and Approval of Business Professional Invoices

Chairman William Bochicchio stated that he will go to the building department to sign off on the items.

BUSINESS: Approval of February 24, 2015 Minutes

February Minutes

Motion to Approve: Michael Affrunti

2nd by: Timothy Hickey

All in Favor

BUSINESS: Discussion and Approval of the 2014 Joint Land Use Board Annual Report

Mark Madaio explained that the annual report is a yearly report that the joint land use board gives to the mayor and council. He stated that the report contains information regarding the prior applications that were heard through the year. He explained that this report is mandatory of every board within every municipality. He stated that the report details the use variances granted and which ones that would affect the borough's master plan. He summarized for the board the applications that were included within the report: minor subdivision and denial of Lafayette Avenue; PSE&G approval for the new substation; West Shore Avenue change of occupancy for Tunnel Vision Sports and 2A sunset subdivision to realign the property lines. He explained to the board that the report also includes items that were referred to the board for their review from the mayor and council. He stated that the board must adopt the resolution for the annual report and submitted it to the mayor and council for their review. Chairman William Bochicchio stated that all resolutions will be copied to the borough clerk.

2014 Joint Land Use Board Annual Report

Motion to Approve: Barbara Chen

2nd by: Janet Masio

ROLL CALL:

| | | | | | |
|-----------------------------|-----|---------------------|---|--------------------------|-----|
| Thomas Trank | --- | Michael Affrunti | Y | Councilman Matthew Hayes | Y |
| Michael Worner | Y | Timothy Hickey | Y | Elmer Pacia | --- |
| Joseph Hakim | Y | Barbara Chen | Y | Michael Cremin Alt # 1 | Y |
| Alfred Moriarty Alt # 2 | Y | Janet Masio Alt # 3 | Y | | |
| Chairman William Bochicchio | Y | | | | |

BUSINESS: Resignation of Joint Land Use Board Clerk: Rosalia Bob

Appointment of New Joint Land Use Board Clerk: Kelly Lo Russo

Chairman William Bochicchio stated that he had received a letter from the board clerk, Rosalia Bob. He explained that due to personal reasons Rosalia Bob needed to resign her clerical position on the board. He stated that the board is sad to see Rosalia Bob leave and that she will be missed. He explained that Rosalia Bob had come to the meeting

tonight in order to assist the new clerk with training. He explained that Kelly Lo Russo had expressed an interest in the position and works part time within the building department. Chairman William Bochicchio called for a motion on the new clerical appointment.

Motion to Approve: Michael Worner
2nd by: Barbara Chen
All in Favor

FORMAL: 15-02 381 West Madison Avenue:
Block - 1102, Lots – 1
Minor Subdivision

Mark Madaio stated that the application for 381 West Madison Avenue will be carried to the following month's meeting on April 28, 2015. He explained that the board did not have enough time to review the application and that it will be carried with no further notice required of the applicant.

RESOLUTION: 14-05 65 West Madison Avenue: 65 West Madison LLC

Mark Madaio summarized the application and explained to the board that they had granted site approval for a mixed use building on this property. He stated the variances as being a parking variance, an aisle width variance and a buffer to the residential zone. Mark Madaio asked if the board would like to vote on the resolution or if they needed more time to review it. Chairman William Bochicchio called for a motion on the resolution.

Motion to Approve: Michael Cremin
2nd by: Michael Worner

ROLL CALL:

| | | | | | |
|-----------------------------|-----|---------------------|---|--------------------------|-----|
| Thomas Trank | --- | Michael Affrunti | Y | Councilman Matthew Hayes | Y |
| Michael Worner | Y | Timothy Hickey | Y | Elmer Pacia | --- |
| Joseph Hakim | Y | Barbara Chen | Y | Michael Cremin Alt # 1 | Y |
| Alfred Moriarty Alt # 2 | Y | Janet Masio Alt # 3 | Y | | |
| Chairman William Bochicchio | Y | | | | |

AMENDED RESOLUTION: 14-04 2A Sunset Terrace: Mary Ellen Romano

Mark Madaio explained that a correction needed to be made because of a typo within the original resolution. He stated to the board that this is an amended resolution needing approval. Chairman William Bochicchio called for a motion on the amended resolution.

Motion to Approve: Michael Worner
2nd by: Michael Cremin

All in Favor

BUSINESS: Discussion on Borough of Dumont Resolution Regarding Borough Hall
Property Redevelopment

RESOLUTION: Authorization of Maser Consulting to Conduct Redevelopment Study

Mark Madaio stated that the board must adopt a resolution for Maser Consulting to do a redevelopment study on the borough hall property located at 50 Washington Avenue. He explained that the board initially had reservations on this resolution because of the clarity of the property ownership. He stated that the board did not authorize the study because they had wanted a letter from the borough attorney and the board of ed attorney indicating the ownership of the property. He explained that the board is mandated and obligated to do this redevelopment study. Michael Affrunti asked if it was the board that would be spending the money to do this study. Mark Madaio stated no and that the mayor and council would be paying for the redevelopment study. Chairman William Bochicchio explained that the mayor and council had authorized the funds for this study already. Mark Madaio stated that the board has no choice and that the board needs to approve Maser Consulting to conduct the redevelopment study. Chairman William Bochicchio called for a motion on the resolution.

Motion to Approve: Michael Worner
2nd by: Timothy Hickey

ROLL CALL:

| | | | | | |
|-----------------------------|-----|---------------------|---|--------------------------|-----|
| Thomas Trank | --- | Michael Affrunti | Y | Councilman Matthew Hayes | Y |
| Michael Worner | Y | Timothy Hickey | Y | Elmer Pacia | --- |
| Joseph Hakim | Y | Barbara Chen | Y | Michael Cremin Alt # 1 | Y |
| Alfred Moriarty Alt # 2 | Y | Janet Masio Alt # 3 | Y | | |
| Chairman William Bochicchio | Y | | | | |

- Chairman William Bochicchio explained that the board is being distributed three new applications that came into the building department. He stated that these are applications for a cell tower on Aladdin Avenue; 381 West Madison Avenue and the Gulf Gas Station on Washington Avenue. He explained that they cannot discuss these applications now because they are not being heard this evening. He stated that the applications should be taken home and reviewed for the next month's meeting. Councilman Matthew Hayes asked if they will be doing all three of these applications in one night. Chairman William Bochicchio stated that the cell tower will be first and then 381 West Madison Avenue. He explained that when an application comes into the building department, they need to be sent out to the professionals first in order for the application to be deemed complete and then they will get a date on the agenda.
- Chairman William Bochicchio stated that at the next meeting the board will need to give time for Darlene Green to present a plan to the board. He explained

that back in August and September the board had discussed if any new development projects came into the borough with mixed commercial use that they could get a percentage of low income housing included in the project. He stated that Darlene will draw up a plan for this percentage ratio for low income housing. He explained that the board will discuss the plan and if it is agreed upon then this would be a change to the borough's master plan. He stated that this would need to go back to the mayor and council approval. Councilman Matthew Hayes asked if this can be done with this percentage for low-income housing. Mark Madaio explained that Darlene had asked for this and is willing to look into a percentage plan.

- Mark Madaio explained the situation on COAH and that the Supreme Court came out with a decision. He stated that towns who submitted round 3 will be given a 90 day waiting period and then a 30 day declaratory judgment to file a plan on housing development. He explained that the county courts have taken jurisdiction over COAH. He stated that developers can request the judge to not give a declaratory judgment and asked for it to be denied. Mark Madaio stated that within Bergen County, 90 days after, there will be massive amounts of filings possibly to only one judge. He stated that Dumont did not submit their round 3 plan until after the D'Angelos lawsuit was filed. He explained that this puts Dumont in a different situation than other municipalities.
- Chairman William Bochicchio asked to poll the board members on who has gone for their mandatory certification in order to find out who still needs the board member classes. Michael Affrunti, Councilman Matthew Hayes, Michael Worner, Timothy Hickey, Chairman William Bochicchio all stated that they had taken the certification course. Chairman William Bochicchio explained that he believed Elmer Pacia and Thomas Trank had taken the course as well. Joseph Hakim, Barbara Chen, Michael Cremin, Alfred Moriarty and Janet Masio all stated that they still need to take the certification course. Chairman William Bochicchio asked if a representative in the borough hall or building department can find out when the next certification classes are in order to sign up the members who still need it.
- Mark Madaio stated that the board members need to do their 2015 financial disclosure to the state. He asked who the individual was at the borough hall that sends out the financial disclosure paperwork to the board members. Chairman William Bochicchio stated that Kathy Schaeffer distributes the financial disclosure information to the board members.

Motion to Adjourn: Barbara Chen
2nd by: Michael Cremin

Minutes respectfully submitted by:
Rosalia Bob
Temporary Joint Land Use Board Clerk